

Appl. No. 09/626,192
Amdt. dated October 13, 2004
Reply to Office Action of July 14, 2004

PATENT

REMARKS/ARGUMENTS

Claims 1-20 are pending in the current application. Claims 1 and 11 are amended herein. These amendments are fully supported by the specification, drawings and claims as originally filed; no new matter has been added. Re-examination and reconsideration of the claims, as amended, are respectfully requested.

REJECTION UNDER 35 U.S.C. §112

Claims 1-20 were rejected under 35 U.S.C. §112 second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (See 7/14/04 Office Action, at page 2). Applicants respectfully traverse this rejection. The claims as presently drafted are definite and do indeed particularly point out and distinctly claim the subject matter which Applicants regards as the invention. Applicants will concede that the claims use operational language, but note that claims 1-10 are method claims. In order to expedite prosecution, Applicants have amended independent claim 11 to clarify the relationship of the recited structural components.

REJECTION UNDER 35 U.S.C. §102

Claims 1-3,5, 11-13 and 15 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Schwartz '894 (See 7/14/04 Office Action, at page 2). Applicants respectfully traverse this rejection; Schwartz '894 does not teach or suggest all elements of the invention of independent claims 1 or 11. (See Swartz '894, Fig. 3 and col. 4, lines 6-35).

However, in order to expedite prosecution and without acquiescing to the rejection, Applicants have amended claims 1 and 11 to obviate the rejection. For example, amended claim 1 now recites "scanning a beam of energy over the sheet and the die to form the object." Nowhere does Schwartz '894 teach or suggest scanning a beam of energy over a sheet and die to form an object. Schwartz is limited to use of an external heater which is not taught to be scannable (See Swartz '894, Fig. 3 and col. 4, lines 6-35). Thus, claim 1 is now considered allowable.

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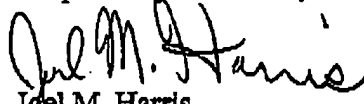
Amended claim 11 now recites "a source of energy configured to scan a beam of energy." Nowhere does Swartz '894 teach or suggest a source of energy configured to scan a beam of energy. Thus, claim 11 is now considered allowable as well. Accordingly, withdrawal of the rejection is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


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